# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/766,168 | 01/28/2004 | Gerard Magennis | 14846-44 | 3385 |

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| EXAMINER |
|---|
| BAYOU, YONAS A |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2134 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) |
| --- | --- | --- |
| | 10/766,168 | MAGENNIS ET AL. |
| | Examiner | Art Unit |
| | Yonas Bayou | 2134 |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on <u>25 October 2007</u>.

2a) ☐ This action is **FINAL**.     2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) <u>1-12</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-12</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>28 January 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

## DETAILED ACTION

1.    This office action is in response to applicant's response filed on 10/25/2007.

2.    Claims 1-12 are pending.

3.    Claims 1 and 6 are amended.

4.    Claims 9-12 are new claims.

5.    Applicant's arguments have been fully considered but they are not persuasive.

### Continued Examination Under 37 CFR 1.114

1.    A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/25/2007 has been entered.

## *Response to Arguments*

1.    Applicant's arguments with respect to claims 1-8 have been considered

but are moot in view of the new ground(s) of rejection.

## *Claim Rejections - 35 USC § 112*

1.    The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and
> process of making and using it, in such full, clear, concise, and exact terms as to enable any
> person skilled in the art to which it pertains, or with which it is most nearly connected, to make
> and use the same and shall set forth the best mode contemplated by the inventor of carrying
> out his invention.

2.    Claims 1, 6 and 9 are rejected under 35 U.S.C. 112, first paragraph, as

failing to comply with the written description requirement.  The claim(s) contains

subject matter which was not described in the specification in such a way as to

reasonably convey to one skilled in the relevant art that the inventor(s), at the

time the application was filed, had possession of the claimed invention.

   In claims 1 and 6, "communications channels being inaccessible to the

requestor" and "private communications channels to said store" is not properly

provided in the specification.

   Examiner treats "private communications channels to said store" as

communication channels with the interface.

## *Claim Rejections - 35 USC § 102*

1.      The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section
> 122(b), by another filed in the United States before the invention by the applicant for patent or
> (2) a patent granted on an application for patent by another filed in the United States before
> the invention by the applicant for patent, except that an international application filed under .
> the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an
> application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

2.      Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by

Trostle, US Patent 6,775,783 (hereinafter Trostle).

Referring to claims 1, 6 and 9, Trostle teaches a method for use in a

computer system that effects secure access to a store comprising:

receiving a request to access a data store from a first process initiated by

a requester [**column 4, lines 32-41 and fig. 1**; application server 216 receives a

request to access a data store via network].

initiating a second process responsive to said store access request,

wherein data generated by said second process is accessible to said first

process but inaccessible to the requester [**column 4, lines 7-12; column 6,**

**lines 38-59 and figs. 1, 2 and 4**; the logging process (the users/requestor

function) then the application client 210/security library 212 passes the user

information to the LSA (local security authority) in the host 202 which

corresponds to the process initiating a second process going from the user to the

process then to the LSA so once the login process is inside the host 202, it is

inaccessible to the user/requester].

changing a context of said second process to the user id of said store

**[column 7, lines 43-50;** directly or indirectly associated with initializing a security

context corresponding to changing a context];

providing said store with an exclusive user id **[column 3, lines 25-33]**;

said second process receiving tokenized credentials from said first

process responsive to said request **[column 6, lines 52-53 and fig. 3;** step 406];

said second process performing a lookup of said tokenized credentials

**[column 6, lines 56-59 and fig. 3;** step 408];

said second process passing a user id and password associated with said

store to said first process if said tokenized credentials are recognized **[column 7,**

**lines 18-26 and fig. 3**; step 418 authentication information corresponding to a

user id and password];

communicating between said first process and said store via private

communications channels, said communications channels being inaccessible to

the requester **[column 5, lines 50-54 and column 6, lines 52-61]**;

said first process obtaining data from said store via private

communications channels responsive to said store access request using said

user id and password associated with said store**[column 7, lines 27-41 and fig.**

**3]**.

Referring to claims 2, 7 and 10, Trostle also teaches a method for use in a computer system that effects secure access to a store further comprising:

sending the data responsive to said store access request to a downstream process **[column 5, line 59- column 6, line 2** sending the data(authentication information) request to the security server].

Referring to claims 3, 8 and 11, Trostle also teaches a method for use in a computer system that effects secure access to a store further comprising:

logging said store access request **[column 5, lines 36-59; fig. 1;** logging takes place to prompt the user for the authentication information (said store access)].

Referring to claims 4 and 12, Trostle also teaches a method for use in a computer system that effects secure access to a store further comprising:

wherein sending the data responsive to said store access request to a downstream process further comprises never sending the data to the requestor **[column 8, lines 22-28;** the user never has direct access to the data (store access) must go through a downstream process (security server)].

Referring to claim 5, Trostle also teaches a method for use in a computer

system that effects secure access to a store further comprising:

wherein said computer system employs the UNIX operating system and

wherein said context changing comprises invoking the UNIX set user id facility

**[column 7, lines 43-50; column 8, lines 50-56 and fig. 1;** a computer system

uses UNIX operating system (type of process) and initializing/changing a security

context to obtain secret file (the UNIX set user id facility)].

## *Conclusion*

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Yonas Bayou whose telephone number is

571-272-7610. The examiner can normally be reached on m-f,7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax

phone number for the organization where this application or proceeding is
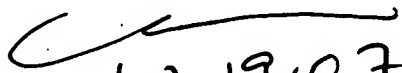
assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.


Yonas Bayou

12/14/2007

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12/19/07